

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

ROBERT SHURMAN,

Plaintiff,

v.

ELECTRONIC MANAGED ACCOUNT
TECHNOLOGIES, INC. LEONARD
REINHART, and JAY WHIPPEL, III

Defendants.

CIVIL ACTION
No. 02-2956

**MOTION OF DEFENDANTS ELECTRONIC
MANAGED ACCOUNT TECHNOLOGIES, INC.,
LEONARD REINHART, AND JAY WHIPPEL, III
TO DISMISS PURSUANT TO FED. R. CIV. P. 12(b)(6)
AND FOR FAILURE TO COMPLY WITH FED. R. CIV. P. 26**

Defendant Electronic Managed Account Technologies, Inc. ("EMAT"), by and through its undersigned counsel, Duane Morris LLP, moves to dismiss count III of the amended complaint pursuant to Fed. R. Civ. P. 12(b)(6) and for failure to comply with Fed. R. Civ. P. 26.

Defendants Leonard Reinhart and Jay Whippel, III, by and through their undersigned counsel, Duane Morris LLP, move to dismiss the amended complaint in its entirety as to these defendants pursuant to Fed. R. Civ. P. 12(b)(6) and for failure to comply with Fed. R. Civ. P. 26.

Defendants EMAT, Leonard Reinhart, and Jay Whippel, III incorporate by reference their memorandum of law in support of the motion to dismiss as if set forth fully herein at length.

Respectfully submitted,

DUANE MORRIS LLP

BY: _____

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Attorneys for Defendants, Electronic
Managed Account Technologies, Inc.,
Leonard Reinhart and Jay Whippel, III

Dated: _____